

SENATE MOTION

MR. PRESIDENT:

I move that Senate Bill 267 be amended to read as follows:

- 1 Page 2, line 3, delete "The county".
- 2 Page 2, delete line 4.
- 3 Page 2, line 5, delete "for a subdivision within the county
- 4 executive's jurisdiction."
- 5 Page 2, after line 8, begin a new paragraph and insert:
- 6 "**(e) Except as provided in subsection (f), the county executive**
- 7 **may approve or disapprove a subdivision plat only on the basis of**
- 8 **whether the plat complies with the requirements set forth in**
- 9 **subsections (a) through (c).**
- 10 **(f) The county executive may approve or disapprove a**
- 11 **subdivision plat based upon whether the plat complies with**
- 12 **standards for development of subdivisions within the county**
- 13 **executive's jurisdiction. The standards shall be set by the county**
- 14 **executive, shall be reasonable, and may include a minimum lot size.**
- 15 **The county executive shall rely only upon the following criteria in**
- 16 **establishing the standards for development:**
- 17 **(1) The standards must protect and provide for the public**
- 18 **health, safety, and welfare of the county.**
- 19 **(2) The standards must ensure that public facilities and**
- 20 **services are available to support the subdivision.**
- 21 **(g) The county executive may not approve or disapprove a**
- 22 **subdivision plat based upon the standards for development until**
- 23 **the county executive has had at least one (1) public hearing on the**
- 24 **issue. The county executive shall publish notice of a hearing in**
- 25 **accordance with IC 5-3-1. The notice must set forth the following**
- 26 **information:**
- 27 **(1) A legal description of the property where the proposed**
- 28 **subdivision will be located.**
- 29 **(2) The date, time, and location of the hearing.**
- 30 **(3) The name of the applicant submitting the plat for the**
- 31 **approval of the county executive.**

1 **(4) A statement that the county executive will consider at the**
2 **hearing whether to approve the plat based upon whether the**
3 **plat is in accordance with the county's development**
4 **standards.**

5 **(h) If, after a hearing, the county executive disapproves the plat,**
6 **the county executive shall make written findings that set forth its**
7 **reasons and a decision denying approval and shall provide the**
8 **applicant with a copy."**

(Reference is to SB 267 as printed January 24, 2003.)

Senator CLARK